App F IX 4

Previous References

194/ (Mel)

File No 92-41

Serial Nos 36, 37, 38, 39, 40, 46, 47

Later References

ME DCR Ha 168/42

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for March 42

SUBJECT

Petition of Mr M R Puttaswamaya for the construction of a cinema theatre at Hassan

To,

The D C Hassan

L 8907/24 3 42

Issues certain instructions re the —

To,

Mr M R puttaswamaiah.

L 8908/24 3 42

Issues an endorsement

Mec

7/4/42

Serial No

Appeal Petition Dated 5-11-41, from Mr M R. Pallaswamal Contractor, Attaran praying for Orders, authorising him to Construct a Cinema theatre, & run the Same, on the Site, near the Police officer at Attaran.

Orders of the Minister for L.S.G & P.H on the Pet'n

A report with Connected file may be Obtained from the D.C Attaran

(Sd) A.G.

5/11/41

Land with a Draft O.M to the D.C Attaran Vr for approval

Sd

7/11/41

for 7.11.1941

To the D.C Attaran Vr

No L 3219 Vr 8-11-41

Call for a report

Ltr A

Letter no MC.C.1464/41-42 dated 13-11-41 from the Deputy Commissioner Attaran Dist forwarding a report on the matter

It is as seen from the report of the Deputy Comr that -

1) the Site on which the petitioner has proposed to put up a Cinema theatre was purchased by him for Rs 3500/-

NOTE—Cont'd Sheet

TYPING SECTION 8 NOV 1941 PER PEV SCOTT

ML File No. of 194 | General and Revenue Secretariat

Serial No

(2) The Dewan (Sir Mirza M Ismail) during his visit to the place gave instructions that no Cinema building should be allowed to be constructed in the locality in which the site in question is situated, as it would be a source of annoyance to travellers staying at the T B near by

(3) Inspite of the above instruction the Municipal Council resolved to issue a license to Mr Putta Swamiya for the construction of a Cinema theatre and the same was issued to the party by the Vice-President

(4) As the action of the M C was against the instruction of the Dewan their resolution to issue the license was suspended by the Dy Comr under Sec 194 (1) (a) of the Mysore Town Municipalities Act, he has requested that the construction of the Cinema theatre in question may be permanently prohibited

The petitioner's contentions are that-

a) the Municipal Council have issued him the license for the purpose after due consideration

(b) he has paid a heavy amount on the site

Petition of Mr M R Puttaswamiya for Construction of a Cinema Theatre at Hassan

General and Revenue Secretariat | 2822 α | ML File No | of 1941 | [App F III—2

Serial No	
	(c) he has collected materials worth Rs 5000/- for the construction of the theatre and he would be put to hardship if he is not allowed to construct the theatre.
	Submitted for orders
	Sd/- 19/11/41
	If the petitioner's contentions of having made preparations for the Construction of a Cinema theatre are founded on fact, it would mean that Considerations of equity would be on his side. If the ML Council had given a licence, rightly or wrongly, the licensee has acted on faith No Council be blamed for the differences between the ML Council and the D C
F.V.D	Sd/- 20/XI The report of the Deputy Comr. Hassan Distt, which explains the facts of the case in detail is for perusal, with reference to para 1 of the Minister's orders above,
	The D.C. Hassan has suspended the registration of the Hassan Town
under sec 19(1) of the T.M Act	ML is agreeing to grant a
	license to the petitioner Mr Puttaswamaya.

NOTE—Contn Sheet

WD 04155—GPB—55 000—28-10-41

Petition of Mr M R Ruttaswamaiah for Constructing a Cinema Theatre

File No 22 of 194 | General and Revenue Secretariat

Serial No

to build a Cinema theatre on the site purchased by him from the Municipality and under Sec 194(2), he has sent Copies of the order to the Pl to be of the Government.

As under the proviso to Subsection (2) of Sec 194 of the T.P. Act, it is necessary for Govt to call upon the Pl to show cause against the said order before confirming, revising or modifying the same if approved, the D.C will be requested to ask the Pl to have their say against the said order before the end of Dec 1941 on receipt of the reply to the Communication the case will be noted upon with regard to the facts & the legal points bearing on it It may also be ascertained as to how far this site is from the Travellers' Bungalow. In favour of the proposal A Supra

Lawsey) for 22/11/41

(O 'A' may be done

Minister A S G)

Hm 25 11 41

for 1) J G 1 12 41

Hm 3-12-41

2) Draft attached pl for 4/12/41

SEOY LAW DEPT 241 CV 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L S G & P H Date 29-11-41 No 3163

Petition of Mr. M R Pestonjee Mukhtar re Contract for a Cinema Theatre at Hassan

2822/L

General and Revenue Secretariat SR. 2 — ML File No 6215 of 194 1 — [App F III-2

Serial No	
	13/ submits with a draft letter for appl UMB 4/12 SK 4/XII ✓ Issue 6/12/42
	To The D C Hassan Drs 1- No L 4888 d 16-12-41 Issues certain instructions
	Letter no ML C 1464/41 dated 17-1-42 from the Deputy Commissioner, Hassan Drs 1- furnishing his report in the matter (4) The resolution of the Hassan Town ML-64, dated 27-12-41 referred to in the P U D is not forthcoming with the records enclosed. Submitted with a draft letter to the D C Hassan Drs 1 calling for the same Hsn 29/1/42 SK 29/1 ✓ (5) (1) Issue (6) (1) Putup the precedent in the case of sanctioning Tamukh Sn 21/II/42
21	20
Srs	The D C Hassan Drs 1- No L 6277 d 23-1-42 Calls for certain records

NOTE—Cont Sheet

SECTION 8 DEC 1941 V SECTT

ML File No of 194 / | General and Revenue Secretariat

Serial No

Letter no ML C 1464/41 dated 16-2-42 from the Deputy Commr, Hassan to 1, forwarding the connected records

(1) The Hassan Town Municipal Council have again resolved that the Sole application for a license may be granted to the petitioner to construct the theatre on the site in question

(2) As the construction of the theatre on the site referred to was prohibited on the instructions of the Government by Commr has recommended that the resolution of the Municipal may be annulled under section 194 of the Mysore Town Municipalities Act, 1933

(3) It is reported that in this case the license to the petitioner was issued by the Vice-President of the Municipal Council, and this was not proper as under Section 211(a) only the Chief Officer can issue a license

(4) The distance from the Compound wall of the site to that of the Travellers Bungalow as reported to be 15-6 feet while the same to the T B Buildings proper is 278 feet

Flag B

Flag Y

P U D

1702 petition of Mr Puttaswamiah re construction of a Cinema theatre at Hassan

General and Revenue Secretariat | ML File No | of 194 / | [App F III-2

Serial No	
21	Submitted with reference to Parras 9 to 11 - Supra Hsm 19 2 42 The point for orders now is whether the Construction of the Cinema theatre would be a source of nuisance to the Deputy, as was held by the Dewan. The D C holds that the Resolution of the Mun C should be annulled. The Mun Council have not shown any reason for altering the view taken by the Dewan. This portion of the sheet refers to one side of the sheet. The other side stands as In accordance with a sale Notification dt 10 2 1940, the site was auctioned in public and Mr. Puttaswamiah purchased it. The Mun Cl Confirmed the sale on 27 4 1940. It is stated by the way that the Sale Note contained no reference to a Cinema theatre. However, when the D.C learnt that a theatre was contemplated, he got a plan dated 14 2 40 drawn by a Govt Architect for a theatre. The Mun Cl had sanctioned on 28 9 1940 of the resolution of the Managing Committee

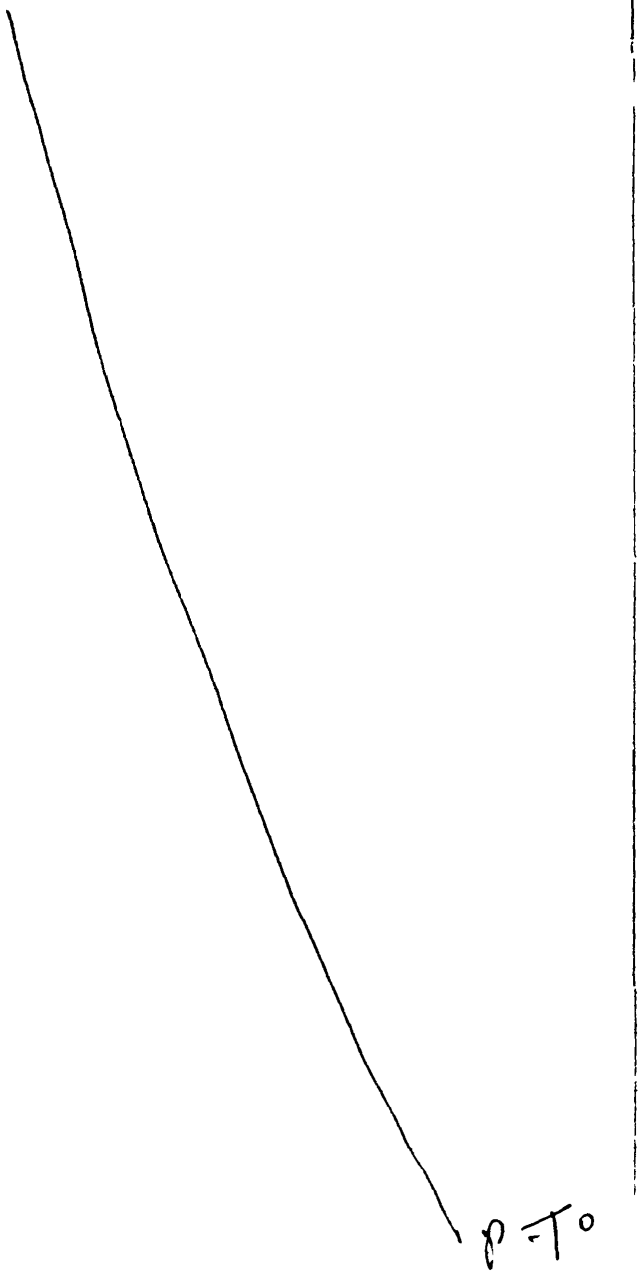
NOTE—Cont Sheet

Cuttack Collectorate Branch - Mr Rathnaswamy's

File No	of 194	General and Revenue Secretariat
		Serial No

for granting a license to start up a
Lime Slaking (Kiln) Factory. On the memorandum,
the Dewan recorded the following orders
and instructions referred to.

Rs 25/- Vide) Refer Para 11 of note



P.T.O

Cinema Theatre, Hassan — Appeal petn of Mr Puttaswamiah

General and Revenue Secretariat | ML File No | of 194 / | [App F III-2

Serial No

R

Flag F

25) This is an appeal by one Mr Puttuswamiah of Hassan against the orders of the Deputy Commissioner, Hassan District suspending the resolution of the Hassan Town Municipal Council in regard to the grant to him of a license to construct a cinema theatre --

The facts of the case are as follows -

Flag H

26) In accordance with the sale notification dated 10-2-1940, a site measuring 110' x 100' was sold in public auction by the Hassan Town Municipal Council and it was purchased by the appellant for Rs 3,500/- The sale was confirmed by Government on 29-6-1940 -- Subsequently an adjoining plot of land was also sold to the appellant for an upset price on the recommendation of the Deputy Commissioner and Government Architect, subject to certain conditions-

Flag G

27) In the sale notification, it was stipulated that the purchaser should put up a building in conformity with the adjoining building as per plan approved by the Municipal Council

Flag E

28) On 28th September 1940, the Municipal Council agreed to grant him a license to put up a cinema theatre -- When the Deputy Commissioner learnt of this and when he found that the plan proposed was unsuitable, he got a plan prepared from the Government Architect

P & D I

29) Just then the Dewan visited Hassan in April 1941 and was pleased to direct that the cinema building should not be allowed to be constructed in this locality as it was quite in proximity to the Travellers' bungalow and it would be a source of annoyance to the public

30) These instructions were communicated to the

NOTE—Cont Sheet

WD 04155—GPB—55 000—23 10 41

Cinema Theatre at Hassan – Appeal Petn of Mr Puttaswamiah

C

ML File No of 194 | General and Revenue Secretariat

Serial No

Municipal Council But they have consistently resolved to grant the license applied for by the appellant When the resolution dated 25-10-41 was brought to the notice of the Deputy Commissioner, he issued an order under Section 194 (4) suspending the resolution The Deputy-Commissioner requests that the resolution may be cancelled and the construction of the cinema theatre permanently prohibited hen the Municipal Council were asked to show cause why the said order of the Deputy Commissioner may not be confirmed, they have simply reiterated on 27-12-1941 their previous resolution that the granting of the license is not contrary to section 194 of the Town Municipalities Act and that the Government may be moved to grant the license

Flag 7

P.U.D.I

Flag 6

Flag R

31) It is submitted that the appellant has purchased a site at a heavy cost and is prepared to build a cinema theatre according to the design and plan furnished by the Government Architect at a cost of about Rs 10,200/- to accommodate 160 seats

32) In the sale notification, it is laid down that the sale purchaser should construct a building according to the design of the neighbouring building and to the plan approved by the Municipal Council This does not necessarily prevent him from constructing a cinema hall and he was actually encouraged to do so by the Deputy Commissioner himself in getting him the adjacent site and a plan therefor

33) Having regard to the fact that the appellant has invested a heavy sum on the purchase of the land and is willing to invest further, it is a point of equity whether he can be prevented from constructing a cinema theatre

Cinema Theatre at Hassan — Appeal petition of Mr Puttaswamiah

4702 K

General and Revenue Secretariat | M/L File No | of 194 / | [App F III-2

Serial No

34) The point for orders is whether in the circumstances stated, the Deputy Commissioner's order may be confirmed It is stated that the Travellers' bungalow is at a distance of 156 feet from the compound wall of the said site, while the ~~same~~ distance to the T B building proper is 278 feet - Whether the cinema hall, if built, would be so near the T B as to cause annoyance to the travellers halting there, is for consideration The Municipal Council stick to the resolution dated 25-10-41 and request the Government to grant the license

PWD II

Flag I

35) In a similar case in which the Dewan (Sir Mirza M Ismail) had ordered that the construction of a Cinema hall should be prohibited in Chitaldrug Town, on appeal, it was ordered that the building may be allowed subject to the condition that no loud speaker be installed at the theatre and that the building is made perfectly sound-proof

ML 92-40 M 8-4-40

Flag B

36) It is for consideration and orders if in the case of the appellant aforesaid, the same conditions may not be insisted upon and a license ordered to be granted to him, in view of the circumstances stated above

SECY LAW DEPT 1829 23 GOVT OF MYSORE

37) For favour of orders

Law Secy) for 26/2/42

38) For consideration

Minister L.S.G.) Hm 2 28/2/42

OFFICE OF THE MINISTER FOR L S G & P H Date 3 3 42 No 5270

39) Application of Sec 194 (1)

NOTE—Cont Sheet

File No 4702/42 of 194

General and Revenue Secretariat

Serial No

is not correct in as much as the D C had satisfied himself by getting the plans for theatre modified as per type design furnished by the South Arcot Dist. I know the position as fact was great nuisance is caused to the T B by our Sheriff's theatre situated in front with loud speakers the proposed building would certainly add to the beauty & convenience of the town The license issued to the applicant for constructing the theatre ~~on the condition~~ as per the resolution of the municipal council will be valid and the applicant may be allowed to construct the building subject to the condition that no loud Speaker be installed at the theatre and that the building is made perfectly sound-proof

5270

[illegible] 1942 7852

H.H.
8/3/42

Dewan)

H.H.M. 13/3/42

H.H. 10/3/42 for H/Min

H.H. 16/3/42

Cinema theatre at - Hassan - Appeal petn of Puttaswamaiah

General and Revenue Secretariat | ML File No 4202/1 of 1941 | [App F III—2

Serial No	
	L.I Draft reply pl Lm 16/3/42
	1) Submitted with a draft letter to the Dy Comr, Hassan regd - Kms 20/3/42 The Encl may kindly be sent to the party if approved 20/3 [See Endrsmt - as however put-up for appl on other grades]
	Both the drfts may be approved Law Secy 7 Lm 20/3/42
	Hm 21/3/42
	Issue Lm 23/3/42
	To The D C Hassan regd - No L 5907 d 24-3-42 Issues certain instructions
	To Mr M R Putta Swamaiah Contractor, Hassan No L 5908 d 24-3-42 Issues an endorsement -

SECL DEPT 23 APR 20 1942 GOVT OF MYSORE

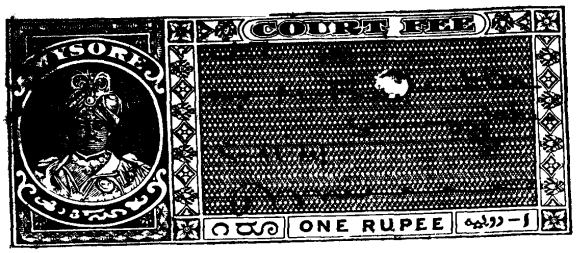
B 21/3

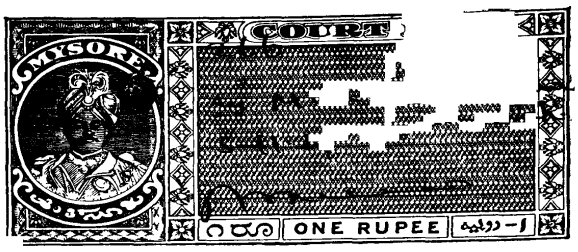
NOTE—Contn Sheet

WD 0231—GPB—30 000—1 8 37

File No of 193

General and Revenue Secretariat





H B. Gundappa Gowda Esqr, B A B L,
Minister for Local Self-Government
and Public Health
in Mysore, Bangalore.

2643/L

SECRETARIAT
-7 NOV 1941
L S G BRANCH

Respected Sir,

I beg to prefer for favourable consideration and orders of the Government the following, my humble appeal against the orders of the Municipal President, Hassan, No H C 29 /39-40 dated 3rd November, 1941, prohibiting the construction of the Cinema Theatre on the eastern side of the Municipal Office, Hassan

OFFICE OF THE MINISTER
F. L S G & P H
5-11-41
649

1 That the Hassan Town Municipality, in the first instance notified the sale in public auction, the site measuring 110x100 ft, on the eastern side of the Municipal Office at Hassan, specially intended for any structure other than a dwelling house I accordingly offered the highest bid in the open sale held on 20-3-40 for Rs 3500-0-0 and the sale was confirmed by the Municipal Council and duly sanctioned in Government Order No L 10687 -8 ML 81 -39 -133 dated the 29th June 1940.

2 That on my application for the grant of license for the construction of Cinema Theatre, on the said site as per plan, got prepared by me, the Managing Committee in its meeting held on 23rd September, 1940 granted license on condition, that since the eastern side of the building comes to the waste weir channel of the Kattinakere Tank, the building be shifted to west wards by about 6ft, leaving a clearance from the body wall of the revetment and that the extent of land 6x100ft, be given to me in exchange, from the eastern

vacant compound yard of the Municipal Office This resolution was approved of by the Municipal Council, in their Meeting held on 28-9-1940.

(3) That ,thereupon,the construction of a Cinema Theatre on the said site as per type -design,prepared by the Government Architect andas recommended by the Deputy Commissioner,was considered by the Municipal Council in their meeting held on 28-12-1940 and they resolved that the available site as prayed for by me to suit the construction of the Cinema Theatre on a technical basis,be given over to me for an upset price,subject to the several conditions prescribed by them(Vide copy of the resolution enclosed)

(4) That in accordance with the resolution of the Municipal Council I paid to the Municipality,the upset price of the extra site,the total amount of the entire site being 4466/-rupees

(5) That the Municipal Council have subsequently considered in their meeting held on 25-10-1941 my license application of June,1941 and granted me the license No 39 L A H C 29 /39-40 dated 28-10-41 as per type design I have herewith submitted the license in original for favour of kind perusal of the Government

(6) That I have now received an endorsement No H C No 29 of 39-40 dated 3-11-41 that I should not proceed with the work This order is quite contrary to the previous resolutions of the Municipal council in my case and consequently I will be put to a heavy loss and damages too, if I am not permitted to do the work at this stage I need not mention that as per decision of the Municipal Council and grant of permissio

I have laid out , a considerable heavy amount on this site,with the intention of constructing the Cinema Theatre as per type design,furnished by the Government Architect and kindly recommended by the Deputy Commissioner I have already collected on the spot a considerable quantity of building materials to the extent of Rs 5000-0-0 I do not understand how it is justified that I should not be permitted to go on with the work,as per proper license issued by the Municipality and how the heavy loss sustained by me in this connection could be compensated

(7) The enclosed copies of the resolutions of the Municipal Council will give clear idea to the Government how the present prohibitory order has injustified me and compelled me to enter upon many complications

(8) In these circumstances, I humbly beg to request you that the entire records on the subject inclusive of the records that have been sent to the Hassan Munsiff's Court in O S No 242 of 40-41 as references, may be kindly called for and favourable orders passed by the Government,authorising me to construct the CinemaTheatre and run the Cinema ,on the site in question Further I will be bound to carry out any other conditions which the Government may be pleased to impose while passing orders in connection with the construction of the Cinema Theatre, on a technical basis ,for which act of kindness I shallbe highly grateful to the Government

The order of the Municipal President of Hassan is herein closed for kind perusal

5-11-1941
Bangalore

I beg to remain, Sir,
Your most obedient servant,
Contractor,Hassan 5-11-41

+ MC 92-41-36.

App F G 9]

GOVT OF H H THE MAHARAJA
OF MYSORE

GEN & REV SECRETARIAT

OFFICIAL MEMORANDUM

No L 3719

The accompanying Copy of the Petition Registered No 2643/L dated 5-11-41 received at the General and Revenue Secretariat from Mr. M. R Muthuswamaiah Contractor, Hassan, appealing against the Order of the ~~[illegible]~~ President, Hassan Town Hall, prohibiting the Construction of the Cinema Theatre on the Eastern side of the Rest office, Hassan

by Mr. C R.

is forwarded, ~~together with its enclosures~~ w c to the D C Hassan Dt, for a report along with the connected files on the subject

By Order,

for Secretary to Govt
Home Dept

BANGALORE,
8-11-1941

[P T O

WD 03623—GPB—3 750—6 8 38

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore, 8th November 1941.

No L 3219

Official Memorandum

The accompanying copy of the Petition Registered No.2643/L dated 5th November 1941 received at the General and Revenue Secretariat from Mr.M R.Puttaswamiah, Contractor, Hassar, appealing against the orders of the President, Hassan Town Municipal Council, prohibiting the construction of the Cinema Theatre on the Eastern side of the Municipal Office, Hassan, is forwarded, with compliments, to the Deputy --- Commissioner, Hassan District, for a report along with the connected files on the subject

By Order,

for Secretary to Government,
Law Department.

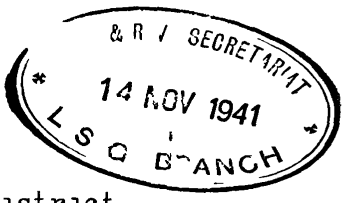
BSN/2

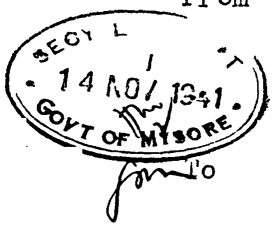
2822/L

No Ml C 1464/41-42
Encls one file 42+1

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT,

Dated Hassan, the 13th Novr. *194* 1.





From

T Ramaiya, Esq , B A , (Hons)
Deputy Commissioner, Hassan District

Re 92-41-37.

To

H V Narayana Rao, Esq , B A , LL B ,
Secretary to Government, Law Department,
B a n g a l o r e.

Sir,

Subject - Petition of Mr M R Puttaswamiya for the construction of a Cinema Theatre at Hassan

---

Adverting to Official Memorandum No L 3719 dated 8th Novr 41 forwarding a copy of petition presented by the applicant on the above subject and calling for a report, I have the honor to state as follows -

2 In accordance with the sale notification issued on 10th Feby 1940, a site measuring 110'x100' was sold in public auction by the Hassan Municipality and the sale was confirmed in favour of Mr M R Puttaswamiaya for ₹ 3500/- by the Municipal Council at their meeting held on 27th April 1940 As there was a delay of five days in paying the balance of bid amount, sanction of Government was obtained to condone the delay and to confirm the sale (Vide G O No L 10687-8/ Ml 81-39-133 dated 29-6-1940) No mention was made in the sale notification about the construction of a Cinema building but the condition was that the sale purchaser should put up a building in the form of the adjoining building and as per plan to be approved by the Municipal Council The Municipal Council resolved at their meeting held on 28th September 1940 approving the resolution of the Managing Committee in the matter of granting a license to the applicant to put up a building

3 I came to know that the building contemplated was a Cinema

Cinema Theatre, looked at the plan that had been furnished by Mr Puttaswamiya, and finding it unsuitable, got a plan for him from the Government Architect But the license had not yet been issued, when it was observed by the Dewan (Sir Mirza M Ismail) during his last tour in this District, in April 1941, that no Cinema building should be allowed to be constructed in this locality (Vide subject No.34 of the Dewan's Tour Notes of April 1941)

4. After the above instructions of the Dewan was intimated, Mr M R Puttaswamiya seems to have applied again to the Municipal Council and they have resolved on 28th June 1941 that a reply might be sent as per resolution passed prior to the Dewan's tour, which amounts to permitting the Cinema building inspite of Dewan's instructions ' The President recommended that Government might be moved to approve of the action taken by the Council It was replied in this Office Memo No D T N 34/40 dated 5th September 1941 that in view of the definite instructions of the Dewan, it was not possible to send up a recommendation to the contrary, the idea being that a theatre in the vicinity of the Travellers' Bungalow would seriously disturb and annoy the travellers Even after this second intimation of the Dewan's instructions to them, the Municipal Council have persisted and passed a resolution again on 25th October 1942 - approving the resolution of the Managing Committee dated 22nd October 1941 to issue a license for the Cinema Hall The matter was reported to me by the President on 28th October 1941 and on the same day the license too, purports to have been issued by the Vice President I suspended the resolution under Section 194 (1) of the Town Municipal Act and asked the President to submit the entire records for a report being made to Government under Sec. 194(2) of the same Act A copy of the order thus passed is herewith enclosed for kind perusal, together with the entire records received

with letter No H C 29/39-40 dated 10th November 1941 from the Municipal President

5 There being no stipulation in the sale notification of the ite that a Cinema Theatre alone should be built, and no license having been issued till the Dewan's instructions, Mr Puttaswamiya cannot claim a right to build a Cinema Theatre alone The issue of the license by the Vice President without waiting for the reply of the Deputy Commissioner on the President's report is also unbecoming

6 In these circumstances I request that the Municipal resolution referred to above may be annulled and the construction of the Cinema Theatre permanently prohibited

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Hassan District.

as

GOVFRNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L4888/Ex-records *Dated, Bangalore,* 15th December 1941

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore
Law Department

To

The Deputy Commissioner,
Hassan District,
Hassan

Sir,

With reference to your letter No M1 C 1464/41-42 dated 13th November 1941, requesting, for reasons stated, that the resolution of the Hassan Town Municipal Council for granting a license to Mr M R Puttaswamiya for the construction of a Cinema Theatre on the site purchased by him near the Travellers' Bungalow may be annulled etc, I am directed to request you to call upon the Hassan Town Municipal Council, under proviso to sub section (2) of section 194 of the Mysore Town Municipalities Act 1933 to show cause before the end of December 1941 why your orders dated 3rd November 1941, passed under section 194(1) of the Act suspending the execution of the resolution of the said Municipal Council dated the 25th October 1941, may not be confirmed and to forward their reply together with your opinion thereon for the orders of Government

2 It may also be stated how far the said site is from the Travellers' Bungalow

3 The records accompany for reference and retransmission

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department

BHK/2

Appendix F G—1]

SUBJECT

2
1

Section ml
File No ML 92-41
Serial No 36

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 10th Dec. 41

Signed by Hy. G. Ramachandra Rao

List of enclosures

Copied by

Examined by

No L4888/Ex: accord

To The Dy Comm, Hassan Dt

Sir,

With reference to your letter No Ml C1464/41-42 Dt 13th Nov 1941 requesting, for reasons stated, that the resolution of the Hassan Town Municipal for granting a license to Mr. Meik Puttaswamiya for the construction of a Cinema Theatre on the site purchased by him near the Travellers' Bungalow may be annulled etc. I am directed to request you

to Call upon the Hassan Town
Mel cl, under proviso to sub section
(2) of Section 194 of the Town Planning Act 1933 to show cause before the end of Dec 1941 why your orders dy 3-11-1941 passed under section 194 (1) of the Act suspending the execution of the resolution of the said Mel cl dated the 25th Oct 1941 may not be Confirmed & to forward their reply together with your opinion thereon for the orders of Govt. ~~Secretary~~

2 It may also be ~~indicated~~ stated how far the said site is from the Travellers' Bungalow

3 The records accompany for reference & return

Thanking etc

for
Secretary to Govt
Law Dept
4/12

GB

4215/L

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 17th January 1942

No Ml C 1464/41
Awls one file

From

T Ramaiya, Esqr , B A (Hons),
Deputy Commissioner,
Hassan District, Hassan

To

Mr 92-41-39

H V Narayana Rao, Esqr , B A , LL B ,
Secretary to Government,
Law Department, Bangalore

Subject Petition of Mr M R Puttaswamaiya for the construction of a Cinema Theatre at Hassan

---

Adverting to your letter No L 4888 dated the 10th December 1941 on the above subject, I have the honour to state that the Municipal Council have, at their meeting held on 27th December 1941, resolved that since the granting of license is not contrary to the provisions of section 194 clause 1 of the Municipal Act of 1933, the Government may be requested to grant the license as resolved by the Council in their meeting held on 25th October 1941 An extract of the resolution is herewith enclosed for favour of perusal

I have already expressed my opinion on the case in my letter of 13th November 1941 The construction of a Cinema Theatre was prohibited by the Dewan on the ground that it creates annoyance to the public being very near the Travellers' Bungalow Any action of the Municipal Council which is likely to cause annoyance to the Public can and should in my opinion, be prbhibited under section 194 (1) of the Town Municipal Act I request that orders of Government may kindly be obtained to annul the resolution of the Municipal Council and the construction of the Cinema Theatre in this locality permanently prohibited

The connected records received with your letter under reply are herewith retransmitted as desired

I have the honour to be,
S i r,
Your most obedient servant,

Deputy Commissioner,
Hassan District

TGS/-

Appendix F G—1]

SUBJECT

Section MC

File No 92-41

Serial No 40.

Diary No of letter replied to

No L6277/Ex: Records

To

The D C Hassan Dist

Sir, Subject - Cinema Theatre at Hassan

With reference -

to the correspondence ending with your letter no HLC/4647/41 dt 17-1-42 re the petition of Mr M R Puttaswamaiah ~~re~~ in the matter of constructing a cinema theatre at Hassan, I am directed to request you to forward an extract of the resolution of the Hassan T Bd dated 27-12-41 referred to

General and Revenue Secretariat

( )

the *19*

Date of issue 23rd Jan 1942

Signed by Mr G Ramachandra Rao

List of enclosures

Copied by 23/1/42

Examined by

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L6277/6 in records *Dated Bangalore, 23rd* January 1942.

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore

Law Department

To

The Deputy Commissioner,
Hassan District, Hassan

Sir,

Subject - Cinema Theatre at Hassan.
*****

With reference to the correspondence ending with your letter No Mlc 1464/41 dated 17th January 1942 regarding the petition of Mr. M R Puttaswamiah in the matter of constructing a Cinema Theatre at Hassan, I am directed to request you to forward a copy or extract of the resolution of the Hassan Town Municipal Council dated 27th December 1941 referred to as enclosed with your letter under advertance but not received with the connected records sent by you. The distance between the Travellers' Bungalow and the site in question may also be kindly indicated.

I have the honour to be
Sir,
Your most obedient servant,

for Secretary to Government
Law Department

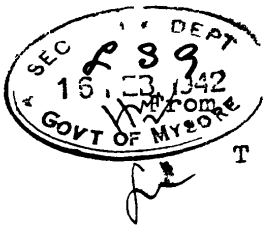
bv 2

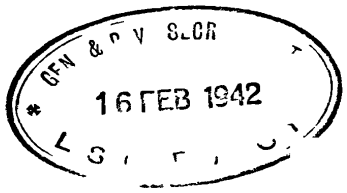
4704/L
RC 92-41-40

No Ml.C 1464/41

Encl One file

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 14th February 1942





From

T Ramaiya, Esqr , B A (Hons),
Deputy Commissioner,
Hassan District,
H a s s a n.

To

H V Narayana Rao, Esqr , B A , LL B ,
Secretary to Government,
Law Department,
B a n g a l o r e

S i r,

Subject Cinema Theatre at Hassan

Adverting to your letter No L 6277 dated 23rd January 1942 on the above subject, I have the honour to retransmit the records with a copy of the resolution of the Municipal Council dated 27th December 1941 (vide flag 'B')

The distance from the compound wall of the site to that of the Travellers'Bungalow is 156 feet while the same to the Travellers' Bungalow Building proper is 278 feet

I have the honour to be,

S i r,

Your most obedient servant,

Deputy Commissioner,
Hassan District

TGS/-

No.Ml.C.1464 /41-42. Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 3rd November 1941.

Reference:-Letter No.H.C.29/39-40 dated the 28th October 1941 from the President, Municipal Council, Hassan, forwarding an extract of the resolution of the Hassan Municipal Council, dated 25th October 1941, granting a license to construct a Cinema Building in the site belonging to Mr. M.R. Puttaswamaiya.

M e m o.

The instruction of the Dewan on the above subject was conveyed to the Municipal Council and they were expected to respect the same. The resolution of the Municipal Council passed on 25th October 1941 is contrary to the specific instructions of the Dewan. For the reasons already intimated in this office docket No.L.Dis.D.T.N034/40 dated 5th September 1941, the execution of the resolution is suspended by virtue of powers vested in the undersigned under section - 194 (1) of the Town Municipalities Act.

Sd/-T. Ramaiya,
Deputy Commissioner,
Hassan District.

3rd November 1941.

Memo

Copy of the above is forwarded to the President,Hassan Municipal Council He is requested to stay further action on the resolution of the Municipal council and submit the applications of Mr Puttaswamiya and other records relating to the grant of site and license leading to the resolution of 28th September 1940,28th December 40 and 28th June 41 to facilitate report being made to Government under section 194(2) of the Act

3-11-1941

Sd T Ramaiya,
Dy Commissioner,Hassan Dt

" Copy"

Dy Commissioner,
Hassan District

Appendix F G—1

SUBJECT

Section MG
File No 92-41
Serial No 46

Diary No of letter replied to

No L. 8907
To The D C Hassan Esq

General and Revenue Secretariat
( )
the *19*

Sir,

Date of issue 24.2.42

I am with reference to the correspondence ending with your letter no MC C 1464/41 dated 14-2-42 forwarding a report on the appeal petition of Mr Puttaswamaiah, Hassan, re refusal to grant of license for the construction of a Cinema theatre on the Site belonging to the Town Municipal Council on the Municipal office at the place, I am directed to state that the application of Sri 1941 to the Govt considers that the proposed building would add beauty to the entrance portion of the Town and that the license issued to the appellant for Constructing the theatre in accordance with the results of the MC be withdrawn also be valid

Signed by M.G. Rao

List of enclosures

Copied by

Examined by

WD 03695—GPB—30,000—29.1.40

is not correct- in as much as
you had satisfied yourself
by getting the plan for the construction
of a theatre modified as per type design
furnished by the Govt- architect and]. I am directed to
request that
[Mr. Puttaswamaiah may be per-
mitted to build the Cinema theatre
on the site referred to, subject
to the conditions that no loud speaker
is unfitted at the Theatre and the hall
is made perfectly Sound proof so as
to avoid nuisance to the public

The records accompany

I have Etc

Hm
23/3/42
Secy to Govt
Law Dept-

Still ...

Mr. ... perhaps will ... in the Municipal has only argued out his case.

23/3

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 24 3 42

Signed by G RRao

List of enclosures

Copied by

Examined by

Section MC

File No 92-41

Serial No 47

No L 8908

To Endorsement—

Granted to Mr MR Putta — Contractor, Swamanah, Hassan Town

— with reference to his petition dated 5-11-1941, applying ~~against the orders of the D C Hassan by Protocol~~ in the matter of and the construction of a Cinema Theatre on his site situated on the eastern side of the ~~the~~ Head Office Md Office at Hassan, Mr Puttaswamaiah is informed that orders have been issued ~~to the Dy Comm~~ Hassan ~~Established~~ of Commercial Tax

~~The approval of Govt. to grant~~ ~~for~~ ~~the~~ ~~use~~ ~~of~~ ~~premises~~ ~~for~~ ~~the~~ ~~purpose~~ ~~of~~ ~~the~~ ~~Ceremony~~, ~~subject~~ ~~to~~ ~~certain~~ ~~conditions~~ ~~to~~ ~~be~~ ~~observed~~ ~~by~~ ~~the~~ Theatre in question accepted.

~~It~~ ~~is~~ ~~also~~ ~~understood~~ ~~that~~ ~~further~~ ~~instructions~~ ~~in~~ ~~this~~ ~~matter~~ ~~may~~ ~~be~~ ~~obtained~~ ~~from~~ ~~the~~ ~~said~~ ~~Bank~~ ~~if~~ ~~the~~ ~~Purchasing~~ ~~Party~~ ~~may~~ ~~approach~~ ~~the~~ D.C. Harrow ~~for~~ ~~further~~ ~~necessary~~ ~~advice~~

The enclosures ~~to~~ this appeal petition are herewith returned By order

from Hm 21/3/42
for Secy to Govt.
Law Dept

Memo L 8904 & 24-3 42

Copy w/c to the D.C. Harrow Dist.

for information

By order
for
for Secy to Govt
Law Dept

Sh
to/3